

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Chance D. Wilson,

Plaintiff,

v.

Sgt. Bland, Sgt. Anthony Fyall,

Defendants.

Case No. 6:24-cv-05768-JDA

OPINION AND ORDER

Plaintiff Chance D. Wilson, while a pretrial detainee* proceeding *pro se*, filed this case pursuant to 42 U.S.C. § 1983. [Doc. 1.] In signing the Complaint, Plaintiff acknowledged that he was responsible for notifying the Clerk in writing of any change of address and that failure to keep his address updated with the court may lead to dismissal of the case. [*Id.* at 12.] In accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2) (D.S.C.), this matter was referred to a Magistrate Judge for all pretrial proceedings.

By Order dated October 28, 2024, Plaintiff was given an opportunity to provide the necessary information to bring the case into proper form for evaluation and possible service of process, including paperwork regarding payment of the filing fee. [Doc. 6.] Plaintiff was warned that failure to provide the necessary information and paperwork within the timetable set in the Order may subject the case to dismissal. [*Id.* at 1.] The Order also reminded Plaintiff to notify the clerk in writing of any change of address and warned that failure to keep his address updated with the Court may lead to dismissal of

* On November 4, 2024, Plaintiff updated his address and indicated that he had been transferred into the custody of the South Carolina Department of Corrections. [Doc. 11.]

the case. [*Id.* at 2.] Plaintiff did not respond to the Order, but did submit an address update, so on December 10, 2024, Plaintiff was given an additional opportunity to bring the case into proper form. [Doc. 15.] In the Second Proper Form Order, Plaintiff was again warned that failure to provide the necessary information and paperwork within the timetable set in the Order may subject the case to dismissal. [*Id.* at 1.] The Second Proper Form Order also reminded Plaintiff to notify the clerk in writing of any change of address and warned that failure to keep his address updated with the Court may lead to dismissal of the case. [*Id.* at 2.] Plaintiff filed a motion seeking additional time to bring his case into proper form on December 19, 2024. [Doc. 18.] Plaintiff's motion was granted, and he was provided additional time to bring his case into proper form. [Doc. 19.] Despite the extension, to this date, Plaintiff has neither advised the court of any changes to his address, nor responded to the Magistrate Judge's December Orders, and the time for response has lapsed.

Wherefore, based upon the foregoing, Plaintiff has failed to prosecute this case and has failed to comply with Orders of this Court. Accordingly, the case is DISMISSED, without prejudice, in accordance with Fed. R. Civ. P. 41. See *Link v. Wabash R.R. Co.*, 370 U.S. 626 (1962).

s/Jacquelyn D. Austin
United States District Judge

January 21, 2025
Greenville, South Carolina